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# ఆంధ్రప్రదేశ్ రాజపత్రము

# THE ANDHRA PRADESH GAZETTE

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# NOTIFICATIONS BY GOVERNMENT

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## INDUSTRIES & COMMERCE DEPARTMENT
## (MINES-II)

CERTAIN AMENDMENTS TO THE ANDHRA PRADESH MINOR MINERAL CONCESSION RULES, 1966 - CHANGE IN PERIOD OF LEASE, CHANGE IN AREA OF LEASE, CHANGE IN CONDITIONS FOR TRANSFER OF LEASE AND INCLUSION OF A PRE-EMPTION CLAUSE TO DIRECT THE LESSEES TO SELL MINERALS TO THE PROCESSING INDUSTRIES WITHIN THE STATE.

***[G.O.Ms.No. 29, Industries & Commerce (Mines-II), 15th February, 2017.]***

## NOTIFICATION

*In exercise of the powers conferred under sub-secticn (1) of Section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 as amended from time to time, the Government of Andhra Pradesh hereby makes the following Amendments to the Andhra Pradesh Minor Mineral Concession Rules* for Regulation of grant of Mining Leases in respect of Minor Minerals in the State.

## AMENDMENTS

**1.** In the said Rules, for the clause (f) of sub-rule (5) of Rule 12, the following shall be substituted, namely:-

"*(f) Period and Extent to be granted for Prospecting Licence or Quarry Lease:-*

(i) A prospecting license for granite, marble and 31 minerals mentioned at SI.Nos. 18 to 48 in Schedule-I of Rule 10 shall be granted for a period

not exceeding two years. The area covered by prospecting license for granite and 31 minerals mentioned at SI.Nos. 18 to 48 in Schedule-I of Rule 10 shall not be less than one hectare, but not exceeding hundred hectares in case of leases serving as captive purpose to a processing industry and fifty hectares for non-captive purpose. The minimum area covered by prospecting license for marble shall not be less than four hectares with a restriction that the dimensions of any one side of such area shall not be less than two hundred meters and the maximum area covered by Prospecting License shall be on par with granite and 31 minerals mentioned at SI.Nos. 18 to 48 in Schedule-I of Rule 10.

(ii) The period for which a quarry lease for granite, marble and 31 minerals mentioned at SI.Nos. 18 to 48 in Schedule-I of Rule 10 shall be thirty years in case of leases serving as captive purpose to a processing industry and twenty years for non-captive purpose:

The area covered by lease for granite and 31 minerals mentioned at SI.Nos. 18 to 48 in Schedule-I of Rule 10 shall not be less than one hectare, but not exceeding hundred hectares in case of leases serving as captive purpose to a processing industry and fifty hectares for non-captive purpose. The area covered by quarry lease for marble shall not be less than four hectares with the restriction that the dimension on any one side of such area shall not be less than two hundred metres and the maximum area covered by Quarry lease shall be on par with granite and 31 minerals mentioned at SI.Nos. 18 to 48 in Schedule-I of Rule 10.

(iii) The Director Mines and Geology on his satisfaction after due consideration of production level, Geographical or Topographical condition may for reasons to be recorded in writing, grant or renew a license or lease over an area less than the minimum area specified under this Rule.

(iv) The Government reserves the right to grant more than the prescribed limits of the area".

**2.** for the sub clause (viii) of clause (h) of sub-rule (5) of Rule 12, the following shall be substituted, namely:-

"(viii) The prospecting licenses and quarry leases granted for the purpose of non-captive consumption are not transferable.

The prospecting licenses and quarry leases granted for captive consumption to a processing industry are transferable provided that the licensee or lessee shall transfer the lease along with the processing industry.

However, the licensee or lessee shall not assign, sub-let, transfer or otherwise dispose of the license or lease that was granted for captive consumption along with processing industry, without obtaining the previous sanction in writing from the Director.

The transfer application shall be made to the Assistant Director of the District concerned in Form R along with non-refundable application fee of Rs. 10,000 (Rupees Ten Thousand only). The license or lease deed shall be executed as per the provision under clause (e):

The permission for transfer of lease along with processing industry shall be accorded on payment of an amount equivalent to ten times of annual dead rent per hectare or the amount equivalent to the dead rent per hectare for the unexpired period of lease, whichever is higher.

Provided further that the transferor and the transferee shall not be in arrears of any mineral revenue to the Government".

**3.** after sub-clause (xvi) of clause (h) of sub rule (5) of Rule 12, the following shall be added; namely:-

"(xvii) Right of pre-emption:-

The State Government shall have the right of pre-emption to direct the lease holder of the said minerals lying in or upon the said lands hereby demised shall with all possible expedition deliver minerals to the processing industries in the State on fair market price or through e-auction with industry having first right of refusal under the power conferred by this provision".

**4.** for condition (ix) under Rule 31, the following shall be substituted, namely:-

"(ix) The quarry leases for minor minerals except Sand, Granite, Marble and 31 minor minerals mentioned at SI.Nos. 18 to 48 in Schedule-I of Rule 10 are not transferable.

However, the quarry leases granted for minor minerals such as Road Metal, Ballast and Manufactured Sand serving as captive source for crusher unit are transferable if the lessee transfers the lease along with crusher unit, operating unit or as the case may be.

The lessee shall not assign, sub-let, transfer or otherwise dispose of the lease that was granted for captive consumption along with processing industry, without obtaining the previous sanction in writing of the Deputy Director concerned.

The permission for transfer of lease along with processing industry shall be accorded on payment of an amount equivalent to ten times of annual dead rent per hectare or the amount equivalent to the dead rent per hectare for the unexpired period of lease, whichever is higher.

Provided further that the transferor and the transferee shall not be in arrears of any mineral revenue to the Government".

**5.** In the Forms appended to the Rules, prescribed under Rule 12(5)(h)(viii) in MODEL FORM-R, in para 2, for the words and figures "Rs. 5000/- (Rupees five thousand only)" the words and figures "Rs. 10,000/- (Rupees Ten thousand only)" shall be substituted.

**B. SREEDHAR,**
*Secretary to Government (Mines).*

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